

by an amount rounded to the nearest \$100 and computed on the basis of a percentage equal or equivalent, insofar as practicable and with such variations as the Clerk considers appropriate, to the percentage of the adjustment under such section 5303;

(2) shall determine, with respect to the employees and classes of employees within the purview of this section whose pay is disbursed by the Clerk, the respective amounts of pay adjustments which are equal or equivalent, insofar as practicable and with such exceptions and modifications as may be necessary to provide for appropriate pay relationships between positions, to corresponding increases in pay, as determined by the Clerk, made by the pay adjustment by the President; and

(3) shall transmit to the appropriate pay-fixing authority concerned in the House of Representatives a copy of his determinations with respect to the pay of those employees whose pay is fixed and adjusted by that authority.

(b) After consideration of the pay determinations transmitted by the Clerk of the House, the pay-fixing authority concerned may adjust, notwithstanding the provisions contained in sections 1341, 1342, and 1349-1351 and subchapter II of chapter 15 of title 31, the rates of pay concerned in such manner as that authority considers appropriate.

(c) Nothing in this section shall impair any authority pursuant to which rates of pay may be fixed by administrative action.

(d) This section shall not be deemed to authorize any adjustment in the rates of pay of employees whose rates of pay are disbursed by the Clerk of the House of Representatives and are fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates or practices, including employees subject to the House Wage Schedule.

(e) No rate of pay shall be adjusted under this section to an amount in excess of the rate of basic pay of level V of the Executive Schedule contained in section 5316 of title 5.

(Pub. L. 91-656, § 5, Jan. 8, 1971, 84 Stat. 1952; Pub. L. 92-298, § 3(b), May 17, 1972, 86 Stat. 146; Pub. L. 92-392, § 14(b), Aug. 19, 1972, 86 Stat. 575; Pub. L. 101-509, title V, § 529 [title I, § 101(b)(4)(F), (10)], Nov. 5, 1990, 104 Stat. 1427, 1440, 1442; Pub. L. 102-378, § 5(b), Oct. 2, 1992, 106 Stat. 1358.)

#### CODIFICATION

In subsec. (b), "sections 1341, 1342, and 1349-1351 and subchapter II of chapter 15 of title 31" substituted for "section 665 of title 31, United States Code" on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

#### AMENDMENTS

1992—Subsec. (a). Pub. L. 102-378 inserted "of title 5" after "section 5303".

1990—Subsec. (a). Pub. L. 101-509, § 529 [title I, § 101(b)(4)(F)(i)], substituted "(a) Whenever an adjustment under section 5303 becomes effective with respect to rates of pay under the General Schedule," for "(a) Whenever a pay adjustment by the President under section 5305 of title 5 is made effective pursuant to subsection (a)(2), or subsections (c) to (m), inclusive, as the case may be, of such section 5305, or section 3(c) of this Act, then".

Subsec. (a)(1). Pub. L. 101-509, § 529 [title I, § 101(b)(10)], made technical correction to Pub. L. 92-298 and Pub. L. 92-392, see 1972 Amendment note below.

Pub. L. 101-509, § 529 [title I, § 101(b)(4)(F)(iii)], in closing provisions, substituted "adjustment under such section 5303;" for "pay adjustment made by the President";

Subsec. (a)(1)(A). Pub. L. 101-509, § 529 [title I, § 101(b)(4)(F)(ii)], substituted "adjustment" for "pay adjustment by the President".

1972—Subsec. (a)(1). Pub. L. 92-298 and Pub. L. 92-392, as amended by Pub. L. 101-509, § 529 [title I, § 101(b)(10)], made identical substitutions in introductory provisions of "effective on the first day of the month in which such pay adjustments by the President" for "effective at the beginning of the first pay period commencing on or after the day on which such pay adjustment by the President".

#### EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-509 effective on such date as the President shall determine, but not earlier than 90 days, and not later than 180 days, after Nov. 5, 1990, see section 529 [title III, § 305] of Pub. L. 101-509, set out as a note under section 5301 of Title 5, Government Organization and Employees.

#### EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-392 effective on first day of first applicable pay period beginning on or after 90th day after Aug. 19, 1972, see section 15(a) of Pub. L. 92-392, set out as an Effective Date note under section 5341 of Title 5, Government Organization and Employees.

#### TRANSFER OF FUNCTIONS

Certain functions of Clerk of House of Representatives transferred to Director of Non-legislative and Financial Services by section 7 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992. Director of Non-legislative and Financial Services replaced by Chief Administrative Officer of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

DIRECTIVE OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES IMPLEMENTING THE SALARY COMPARABILITY POLICY IN 1969 FOR OFFICERS AND EMPLOYEES OF THE HOUSE OF REPRESENTATIVES REQUIRED BY SECTION 212 OF THE FEDERAL SALARY ACT OF 1967 [5 U.S.C. 5304 NOTE]

Salary Directives of the Speaker of the House of Representatives were issued on the following dates:

June 17, 1969, increases eff. July 1, 1969, Cong. Rec., vol. 115, pt. 12, p. 16196.

June 11, 1968, increases eff. July 1, 1968, Cong. Rec., vol. 114, pt. 13, p. 16717.

#### INCREASES IN COMPENSATION

The following acts provided increases in compensation for elected officers and certain employees of the House of Representatives:

June 20, 1958, Pub. L. 85-462, § 4(k), (l), 72 Stat. 209.

June 28, 1955, ch. 189, § 4(c), 69 Stat. 176.

Oct. 24, 1951, ch. 554, § 2(e), 65 Stat. 614.

Oct. 28, 1949, ch. 783, title I, § 101(d), 63 Stat. 974.

#### § 60a-2a. Rates of compensation disbursed by Clerk of House; adjustments by Speaker; "Member of the House of Representatives" defined

(1) Notwithstanding any other provision of this Act, or any other provision of law, rule, or regulation, on and after December 22, 1987, each time the President pro tempore of the Senate exercises any authority pursuant to any of the amendments made by this section with respect

to rates of pay or any other matter relating to personnel whose pay is disbursed by the Secretary of the Senate, or whenever any of the events described in paragraph (2) occurs, the Speaker of the House of Representatives may adjust the rates of pay (and any minimum or maximum rate, limitation, or allowance) applicable to personnel whose pay is disbursed by the Clerk of the House of Representatives to the extent necessary to ensure—

(A) appropriate pay levels and relationships between and among positions held by personnel of the House of Representatives; and

(B) appropriate pay relationships between—

(i) positions referred to in subparagraph (A); and

(ii)(I) positions under subparagraphs (A) through (D) of section 356 of this title;

(II) positions held by personnel whose pay is disbursed by the Secretary of the Senate; and

(III) positions to which the General Schedule applies.

(2) The other events permitting an exercise of authority under this section are either—

(A) an adjustment under section 5303 of title 5 in rates of pay under the General Schedule; or

(B) an adjustment in rates of pay for Members of the House of Representatives (other than an adjustment which occurs by virtue of an adjustment described in subparagraph (A)).

(3) For the purpose of this section, the term “Member of the House of Representatives” means a Member of the House of Representatives, a Delegate to the House of Representatives, and the Resident Commissioner from Puerto Rico.

(Pub. L. 100-202, §101(i) [title III, §311(d)], Dec. 22, 1987, 101 Stat. 1329-290, 1329-310; Pub. L. 101-520, title III, §308, Nov. 5, 1990, 104 Stat. 2277; Pub. L. 102-90, title III, §308, Aug. 14, 1991, 105 Stat. 466.)

#### REFERENCES IN TEXT

This Act, referred to in par. (1), probably means the Legislative Branch Appropriations Act, 1988, Pub. L. 100-202, §101(i), Dec. 22, 1987, 101 Stat. 1329-290. For complete classification of this Act to the Code, see Tables.

The amendments made by this section, referred to in par. (1), means the amendments made by section 101(i) [title III, §311] of Pub. L. 100-202, Dec. 22, 1987, 101 Stat. 1329-290, 1329-310, which enacted this section, amended section 60a-1 of this title, and enacted provisions set out as a note under section 60a-1 of this title.

The General Schedule, referred to in pars. (1)(B)(i)(III) and (2)(A), is set out under section 5332 of Title 5, Government Organization and Employees.

#### CODIFICATION

Section is from the Congressional Operations Appropriations Act, 1988, which is title I of the Legislative Branch Appropriations Act, 1988.

#### AMENDMENTS

1991—Par. (2)(A). Pub. L. 102-90 substituted “5303” for “5305”.

1990—Pub. L. 101-520 designated existing provisions as par. (1), inserted “or whenever any of the events described in par. (2) occurs,” after “Secretary of the Senate,” substituted “may adjust the rates of pay (and any minimum or maximum rate, limitation, or allow-

ance) applicable to personnel whose pay is disbursed by the Clerk of the House of Representatives to the extent necessary to ensure—” and subpars. (A) and (B) for “may, with respect to personnel whose pay is disbursed by the Clerk of the House of Representatives, exercise the same authority to the extent necessary to ensure parity of treatment between personnel of the respective Houses of Congress having comparable duties and responsibilities.”, and added pars. (2) and (3).

#### TRANSFER OF FUNCTIONS

Certain functions of Clerk of House of Representatives transferred to Director of Non-legislative and Financial Services by section 7 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992. Director of Non-legislative and Financial Services replaced by Chief Administrative Officer of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

#### ORDER OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

JANUARY 17, 1995

Pursuant to the authority vested in the Speaker by section 311(d) of the Legislative Branch Appropriations Act, 1988 (2 U.S.C. 60a-2a), it is hereby—

*Ordered,*

#### DEFINITION

SECTION 1. As used in this Order, the term “employee” includes an Officer of the House (other than a Member of the House of Representatives).

#### PAY FOR SPECIFIED POSITIONS

SEC. 2. (a) The annual rate of pay for the Chief Administrative Officer, Clerk, Sergeant-at-Arms, Director of Postal Operations, Director of House Information Systems, Chaplain, Parliamentarian, Legislative Counsel, Law Revision Counsel, General Counsel to the House, and Inspector General is \$122,932.

(b) The annual rate of pay for the Deputy General Counsel and Solicitor to the House is \$120,000.

(c) The annual rate of pay for the Deputy Chief Administrative Officer, Deputy Sergeant-at-Arms, Deputy Clerk, and Deputy Director of House Information Systems is \$116,251.

#### PAY FOR CERTAIN OTHER POSITIONS

SEC. 3. (a) Subject to subsection (b), annual rates of pay may be established—

(1) by the Speaker, for employees under the jurisdiction of the Speaker;

(2) by the majority and minority leaders, for employees under their respective jurisdictions, including with respect to the majority leader, the Republican employee referred to in House Resolution 625, 89th Congress, as enacted into permanent law by section 103 of the Legislative Branch Appropriation Act, 1967 (80 Stat. 369);

(3) by the majority and minority whips, for employees under their respective jurisdictions;

(4) by the chief deputy majority and minority whips, for employees under their respective jurisdictions;

(5) by the Chairman of the Republican Steering Committee and the Chairman of the Republican Conference, for employees under their respective jurisdictions, other than the Republican employee referred to in paragraph (2);

(6) by the Chairman of the Democratic Steering and Policy Committee and the Chairman of the Democratic Caucus, for employees under their respective jurisdictions;

(7) by the Parliamentarian, for any employee under the jurisdiction of the Parliamentarian (subject to the approval of the Speaker);

(8) by the Legislative Counsel, for any employee under the jurisdiction of the Legislative Counsel (subject to the approval of the Speaker); and

(9) by the Law Revision Counsel, for any employee under the jurisdiction of the Law Revision Counsel (subject to the approval of the Speaker).

(b)(1) The annual rate of pay under subsection (a) may not exceed \$122,932 for—

(A) any employee whose maximum annual rate of pay was established by section 3(a) of the Order of the Speaker dated January 20, 1988, for the period to which that Order applied;

(B) any employee whose annual rate of pay, but for section 311(d) of the Legislative Branch Appropriations Act, 1988 (2 U.S.C. 60a-2a), would be subject, by law, rule, or regulation, to a maximum equal to the rate payable for level III or IV of the Executive Schedule;

(C) any employee in a position referred to in House Resolution 625, 89th Congress, as enacted into permanent law by section 103 of the Legislative Branch Appropriation Act, 1967 (80 Stat. 369), section 1 of House Resolution 119, 95th Congress, as enacted into permanent law by section 115 of the Legislative Branch Appropriation Act, 1978 (2 U.S.C. 74c), 82 Stat. 413, or 77 Stat. 817;

(D) any of 3 employees of the Office of Floor Assistants under section 223(b) of House Resolution 6, 104th Congress; or

(E) any of the 3 employees under the second sentence of House Resolution 7, 104th Congress.

(2) The annual rate of pay under subsection (a) may not exceed \$108,234 for—

(A) any employee whose maximum annual rate of pay was established by section 3(b) of the Order of the Speaker dated January 20, 1988, for the period to which that Order applied; or

(B) any employee whose annual rate of pay, but for section 311(d) of the Legislative Branch Appropriations Act, 1988 (2 U.S.C. 60a-2a), would be subject, by law, rule, or regulation, to a maximum equal to the rate payable for level V of the Executive Schedule.

#### PAY FOR EMPLOYEES OF COMMITTEES AND MEMBERS

SEC. 4. (a) Subject to subsection (b), annual rates of pay may be established—

(1) by the chairman of a standing, special, or select committee of the House or of a joint committee of Congress, if applicable, for employees of the committee; and

(2) by each Member of the House, for employees in the office of the Member.

(b)(1) Except as provided in paragraphs (2) and (3), the annual rate of pay under subsection (a) may not exceed \$108,234.

(2) Under subsection (a)(1), each chairman may establish a maximum rate of \$122,932 for 3 employees, with one such employee to be designated by the ranking minority party member of the committee.

(3) Under subsection (a)(1), each chairman may establish a maximum rate of \$116,251 for 9 employees, 10 employees in the case of the Committee on International Relations and 24 employees in the case of the Committee on Appropriations, with 3 such employees to be designated by the ranking minority party member, other than in the case of the Committee on Appropriations, in which case 7 such employees shall be designated by the ranking minority party member.

#### MISCELLANEOUS PAY PROVISIONS

SEC. 5. (a) The Chief Administrative Officer may establish annual rates of pay for 2 employees under the jurisdiction of the Chief Administrative Officer, including the Chief of the Finance Office, at a maximum rate of \$108,234 (subject to the approval of the Speaker).

(b) The Clerk may establish annual rates of pay for 3 employees under the jurisdiction of the Clerk at a maximum rate of \$108,234 (subject to the approval of the Speaker).

(c) The Sergeant-at-Arms may establish annual rates of pay for 2 employees under the jurisdiction of the Sergeant-at-Arms, including the General Counsel to the

Capitol Police Board, at a maximum rate of \$108,234 (subject to the approval of the Speaker) and 3 employees at a maximum rate equal to 75 percent of that rate (subject to the approval of the Speaker).

(d) The Speaker may, at any time, adjust the number of positions under subsections (a) through (c) and the rates of pay for those positions to accommodate the transfer of responsibilities to the Chief Administrative Officer.

#### GENERAL LIMITATION

SEC. 6. The maximum annual rate of pay is \$108,234 for any employee whose pay is disbursed by the Clerk of the House and is not otherwise provided for in this Order or otherwise limited by law, rule or regulation.

#### SHARED EMPLOYEES

SEC. 7. An employee who, under applicable rules and regulations, is paid from funds from 2 or more House sources, may receive pay totaling the highest limitation applicable to any of the positions the employee occupies. This section does not provide additional funds to any office and does not increase the number of employees who may be paid at levels higher than the limitation under section 6.

#### EFFECTIVE DATE

SEC. 8. The provisions of this Order shall take effect on January 4, 1995.

NEWT GINGRICH,  
*Speaker.*

Prior Orders of the Speaker of the House of Representatives were issued on the following dates:

May 11, 1993, eff. May 1, 1993.  
Feb. 27, 1992, eff. Jan. 1, 1992.  
Jan. 28, 1991, eff. Jan. 1, 1991.  
Feb. 8, 1990, eff. Feb. 1, 1990.  
Jan. 20, 1988, eff. Jan. 1, 1988.

#### §§ 60b, 60c. Omitted

#### CODIFICATION

Section 60b, acts June 20, 1929, ch. 33, §2, 46 Stat. 38; July 25, 1939, ch. 352, §3, 53 Stat. 1080, which provided that clerk hire should be at rate of \$6,500 per annum and limited individual salaries to \$3,900 per annum, was superseded by former section 60g of this title. See section 332 of this title.

Section 60c, R.S. §55, related to payment of salaries of chaplains.

#### § 60c-1. Vice President, Senators, officers, and employees paid by Secretary of Senate; payment of salary; advance payment

The compensation of the Vice President, Senators, and officers and employees, whose compensation is disbursed by the Secretary of the Senate, shall be payable on the fifth day of the month following the month in which such compensation accrued, except that—

(1) Repealed. Pub. L. 97-51, §111(a)(1), Oct. 1, 1981, 95 Stat. 962;

(2) when such fifth or twentieth day falls on Saturday, Sunday, or on a legal holiday (including any holiday on which the banks of the District of Columbia are closed pursuant to law) such compensation shall be payable on the next preceding workday; and

(3) any part of such compensation accrued for any month may, in the discretion of the Secretary of the Senate, be paid prior to the day specified in the preceding provisions of this section.

For purposes of title 26 and for accounting and reporting purposes, disbursements made in ac-